

## **Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims**

1. (Currently Amended) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is switched to said first mode according to an operation to a first position, and is switched to said second mode according to an operation to a second position, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and

a control unit, which means for effects different control of said image pickup apparatus in accordance with the mode set before said operation member is operated being the first mode or the second mode even if said operation member is subjected to a same switching operation for switching from the third position to one of the first and second positions changing control to said image pickup apparatus according to a current mode thereof and one of the first position and the second position, to which said operation member is operated from the third position.

2. (Currently Amended) An image pickup apparatus according to claim 1, wherein during said second mode, said control ~~means~~ unit shifts said second mode to said first mode without operating said operation member, and according to an operation of an operation member related

to photographing, different from said operation member related to the first and second modes.

3. (Currently Amended) An image pickup apparatus according to claim 1, wherein in case that said image pickup apparatus is in an electric power off state, said control ~~means~~ unit turns electric power on according to a mode switching operation of said operation member and starts up said image pickup apparatus in a mode corresponding to a position operated in the mode switching operation.

4. (Currently Amended) An image pickup apparatus according to claim 1, wherein said control ~~means~~ unit withdraws a lens barrel according to the operation to said second position by means of said operation member, when said lens barrel is fed forward in a state of said second mode.

5. (Currently Amended) An image pickup apparatus according to claim 1, wherein in a state of said first mode, said control ~~means~~ unit switches to a mode different in photographing format from that of said first mode according to the operation of said operation member to said first position.

6. (Currently Amended) An image pickup apparatus according to claim 1, wherein in a state of said second mode, said control ~~means~~ unit switches to a mode different in reproduction format from that of said second mode according to the operation of said operation member to said second position.

7. (Canceled)

8. (Currently Amended) A control method of an image pickup apparatus including an operation member which is switched to a first mode for picking up an object image according to an operation to a first position, and is switched to a second mode for reproducing a recorded image according to an operation to a second position, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user, said control method comprising:

the step of effecting different control of said image pickup apparatus in accordance with the mode set before said operation member is operated being the first mode or the second mode even if said operation member is subjected to a same switching operation for switching from the third position to one of the first and second positions ~~changing control to said image pickup apparatus according to a current mode thereof and one of the first position and the second position, to which said operation member is operated from the third position.~~

9. (Canceled)

10. (Previously Presented) A storage medium computer-readably storing a program comprising a program code for causing a computer to execute said control method of an image pickup apparatus according to claim 8.

11. (New) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is switched to said first mode according to an operation to a first position, and is switched to said second mode according to an operation to a second

position, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and

a control unit which changes control to said image pickup apparatus according to a current one of said first and second modes in which said image pickup apparatus is set with the operation member in said third position and one of the first position and the second position, to which said operation member is operated from the third position.

12. (New) A control method of an image pickup apparatus including an operation member which is switched to a first mode for picking up an object image according to an operation to a first position, and is switched to a second mode for reproducing a recorded image according to an operation to a second position, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user, said control method comprising:

the step of changing control to said image pickup apparatus according to a current one of said first and second modes in which said image pickup apparatus is set with the operation member in said third position and one of the first position and the second position, to which said operation member is operated from the third position.